

# **EXHIBIT D**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS,  
EASTERN DIVISION**

|                                   |   |                |
|-----------------------------------|---|----------------|
| THOMAS BURNS and MARK LARSEN,     | ) |                |
| individually and on behalf of all | ) |                |
| others similarly situated,        | ) |                |
|                                   | ) |                |
| Plaintiffs,                       | ) | No. 04 C 7682  |
|                                   | ) |                |
| v.                                | ) | Judge Plunkett |
|                                   | ) |                |
| FIRST AMERICAN BANK,              | ) |                |
|                                   | ) |                |
| Defendant.                        | ) |                |

|                    |       |  |
|--------------------|-------|--|
| STATE OF WISCONSIN | )     |  |
|                    | )     |  |
|                    | ) ss. |  |
| MILWAUKEE COUNTY   | )     |  |

**AFFIDAVIT OF ANYA VERKHOVSKAYA**

I, Anya Verkhovskaya, being duly sworn, declare as follows:

1. I am the Senior Vice President of A.B. Data, Ltd.'s Class Action Administration Division ("A.B. Data") in Milwaukee, Wisconsin, and New York, New York, a company that offers a full range of class action and complex litigation support services. My business address is 4057 North Wilson Drive, Milwaukee, Wisconsin 53211. My telephone number is (414) 963-6441.

2. I submit this Affidavit in connection with analysis of the viability of various methods and resources that could be utilized to locate the Class and to develop an

effective Class notice program in *Thomas Burns and Mark Larsen, et al v. First American Bank*, filed in the United States District Court for the Northern District of Illinois, Eastern Division, No. 04 C 7682 (the "Lawsuit"), at the request of The Consumer Advocacy Center, P.C. ("Plaintiffs' Counsel").

3. This Affidavit is based upon my personal knowledge, and upon information provided by Plaintiffs' Counsel, my associates, and staff.

4. Per the request of Plaintiffs' Counsel, A.B. Data developed a proposed plan for identifying, locating, and notifying the Class. This Affidavit explains the analysis, proposed plan, and the conclusion reached by A.B. Data.

#### **MY QUALIFICATIONS**

5. A.B. Data's headquarters are located in Milwaukee, Wisconsin where the company has three locations. In addition, A.B. Data has satellite offices in New York, New York, and employs over 320 employees in its class action, consulting, data, print and mail processing business. A detailed brochure about the company is attached as Exhibit A.

6. As the Senior Vice President of A.B. Data, I have been appointed as Notice, Claims and Settlement Administrator in many consumer, civil rights, insurance and securities cases. I am familiar with and have been directly responsible for administering

many complex notice and settlement administration programs, involving all aspects of class member identification and location, compilation of direct notice mailing lists, analysis of the direct mailing lists and complex data management of the class records. My Curriculum Vitae is attached as Exhibit B.

7. A.B. Data's List Division has access to information of over 300,000 businesses nationwide. Additionally, A.B. Data's Class Action Administration Division is supported by its own Data Services Division, which offers the highest level of data security. A.B. Data's 180,000 square foot Mail Distribution Center has its own on-site United States Postal Service ("USPS") postal sub-station and is one of the nation's largest and most advanced facilities, capable of mailing four million pieces of mail a day.

8. A.B. Data has effectively conducted notice programs and was able to identify, locate and notify over three million potential class members who spoke more than 80 languages and lived in 109 countries in approximately 70 cases. In connection with these cases, A.B. Data has been involved in various aspects of the design, analysis, identification of class members, verification of direct notice mailing lists and implementation of class notice campaigns.

#### **INFORMATION PROVIDED BY PLAINTIFFS' COUNSEL**

9. Based on information provided by Plaintiffs' Counsel, it is A.B. Data's understanding that First American Bank (the "Defendant") can provide a transaction log,

which lists each transaction made within a specified time period at the Automated Teller Machines ("ATMs") included in the Lawsuit. Further, it is A.B. Data's understanding that this transaction log would include the following information for each transaction that is relevant to the Class location and notification:

- a. The customer's debit or credit card number, also known as a Personal Account Number ("PAN");
- b. Designation of the PAN as either a debit or credit card account;
- c. The date and time of the transaction; and
- d. The amount of the surcharge applied to the transaction.

10. Per the directive of Plaintiffs' Counsel, for the purpose of A.B. Data's analysis and plan for identifying, locating, and notifying the Class, the ATM transaction log description in Paragraph 9 above is taken as a reliable approximation of the actual information that will be contained in the ATM transaction logs. Further, in A.B. Data's expert opinion, it is normal and typical for these types of information to be listed on ATM transaction logs.

11. According to Plaintiffs' Counsel, the Class will be limited to ATM customers that used the ATM within a defined time period or "Class Period." Plaintiffs' Counsel stated that the Class Period would likely be one year from November 28, 2003 to November 28, 2004.

12. It is A.B. Data's understanding, per the information provided by Plaintiffs' Counsel, that the Class will be limited to ATM customers that were charged a \$2.50 surcharge.

#### **IDENTIFYING AND LOCATING CLASS MEMBERS' BANKS AND OTHER FINANCIAL INSTITUTIONS**

13. The information contained in the transaction log as described in Paragraph 9 will be converted into a searchable database (the "Database").

14. Given that the date and time of each transaction is available, as noted in Paragraph 9, the Database will be refined to include only transactions that occurred within the defined Class Period.

15. Given that the amount of the surcharge, if applicable, is available for each transaction, as noted in Paragraph 9, the Database will be refined to include only transactions where a \$2.50 surcharge was applied.

16. A.B. Data will de-duplicate the Database by removing true duplicate records.

17. As stated in Paragraph 9, each transaction log entry contains the customer's debit or credit card number, also known as a PAN. The first six digits of any debit or credit card number is the Bank Identification Number ("BIN"). A BIN is used to identify the

bank or institution that issued the card (e.g., Bank of America) as well as the ATM network that the card belongs to (e.g., Cirrus).

18. A.B. Data is able to access an international database of BINs (the “BIN Database”). By cross-referencing a Class Member’s BIN against the BIN Database, A.B. Data will identify the Class Member’s bank or institution.

19. For debit and credit card transactions, cross-referencing a Class Member’s BIN against the BIN Database would identify the bank or institution that issued the card, its address and/or electronic address and/or facsimile number.

20. After identifying the bank or other financial institution that issued the Class Members’ debit and credit cards, the Database could be sorted by bank/financial institution. For example, all debit cards issued by Bank of America could be grouped together in the Database. The resulting list may be referenced as the “Class Transaction List.”

21. With the Class Transaction List sorted by bank/financial institution, A.B. Data will generate a list of all transactions made by cards that were issued by a given bank or financial institution (these lists may be referenced as “Customer Lists”). The Customer Lists will contain all information provided by the ATM transaction log for each transaction listed.

22. Due to bank mergers, acquisitions, etc. that may have occurred during the relevant Class Period, it is possible that some of the BINs will not match with the BIN Database. If requested, A.B. Data is able to perform a statistical sampling that would disclose a percentage of potential non-matches. For these transactions, another form of notice could be used to reach the Class Members (e.g., Media Notice).

23. A.B. Data will send the Customer Lists to the appropriate mailing addresses, facsimile numbers, or electronic mail addresses for each bank/financial institution listed in the Class Transaction List.

**IDENTIFYING, LOCATING, AND NOTIFYING CLASS MEMBERS FOR THE  
PURPOSE OF CONDUCTING DIRECT NOTICE**

24. Banks and other financial institutions will be able to match customers' PANs to the respective names and contact information of such customers. Therefore, banks and other financial institutions will be able to notify their customers directly about their rights in this Lawsuit.

25. Banks and other financial institutions will be able to notify their customers affected by this Lawsuit (i.e., Class Members) by several means, including, but not limited to:

- a. Letters notifying Class Members of their rights to participate in this Lawsuit; and/or



- b. Notifications written directly on the Class Members' account statements;  
and/or
- c. Fliers placed in the banks' lobbies.

#### **DEBIT AND CREDIT CARD TRANSACTION NOTICE**

26. A.B. Data is able to implement a process called "Reverse Interchange," which involves crediting \$0.01 to Class Members' debit and/or credit card accounts with a short Notice Statement in the transaction description line, similar to "IMPORTANT NOTICE. CALL 800 000-0000". This Notice Statement will be transmitted electronically and will appear on the Class Members' monthly debit and/or credit card account statements.

27. If the PAN is currently invalid, the transaction will bounce back.

28. Given the availability of PAN numbers, Reverse Interchange is a fast, efficient, and cost-effective means of providing Notice to the Class.

#### **MEDIA NOTICE**

29. The Class could be reached by means of a national media notice.

30. The Media Notice could be in a variety of forms, including a publication in a nationally circulated newspaper (e.g., *USA Today*), a nationally broadcast television advertisement, and/or a nationally broadcast radio advertisement.

#### **POSTER NOTIFICATION**

31. A.B. Data also recommends posting informational posters on the ATM machines involved in this Lawsuit.

32. A.B. Data will mail posters to the affected banks to display in the banks' lobbies.

#### **WEBSITE AND TELEPHONY**

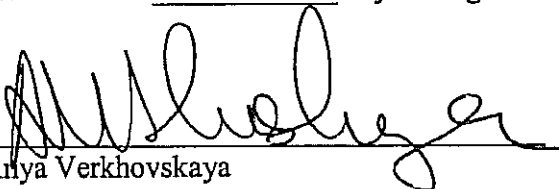
33. In conjunction with any of the notification methods described in this Affidavit, a website and/or toll-free telephone number could be established to provide information about this Lawsuit to Class Members.

#### **CONCLUSION**


34. It is A.B. Data's opinion that by means of various Class Member identification, location, and notification methods described in this Affidavit, the Class could be identified, located and notified in a reasonable, practicable and cost-efficient manner.

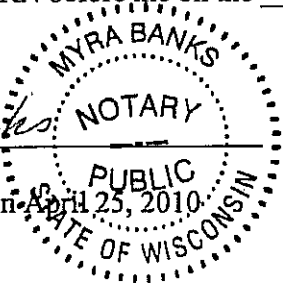
I declare under penalty of perjury that the foregoing is true and correct.

Executed this 21 day of August 2006 at Milwaukee, Wisconsin.

  
Anya Verkhovskaya

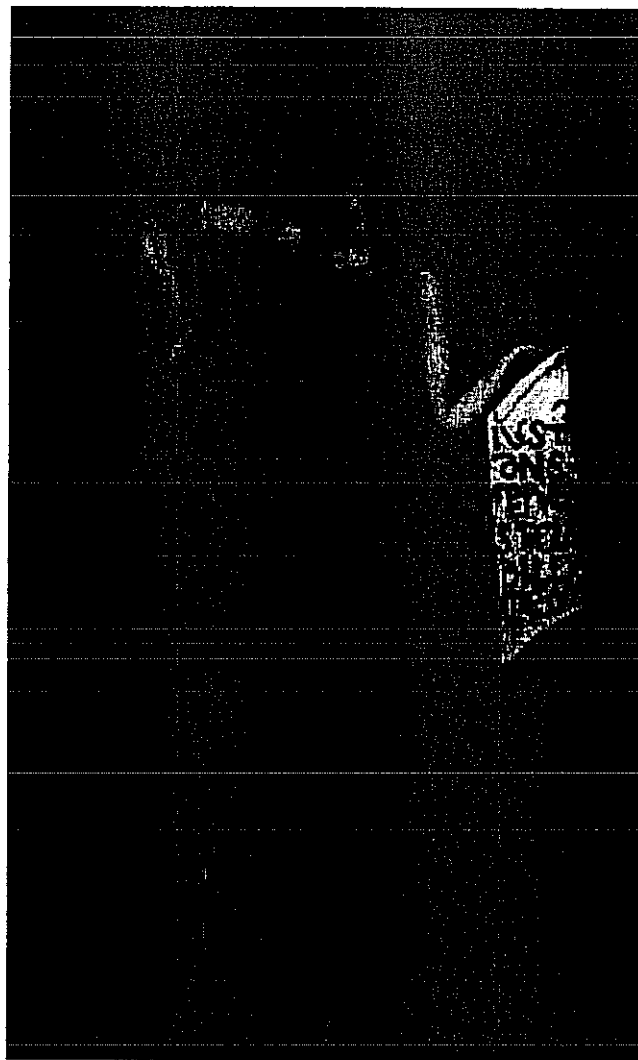
SUBSCRIBED and SWORN before me on the 21<sup>st</sup> day of August 2006.

  
Notary Public  
My commission expires on April 25, 2010.



# Exhibit A

A.B. DATA, LTD.



## LIST OF SERVICES

*New York • Milwaukee • Washington, D.C. • Tel Aviv*

CLASS ACTION ADMINISTRATION

|                                                |   |
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## **ABOUT A.B. DATA**

Founded in 1980, A.B. Data has earned an international reputation for expertly managing the complexities of class action administration. With over 350 employees and offices in Milwaukee, New York City, Washington D.C. and Tel Aviv, A.B. Data is a leading provider of notice administration, claims processing and settlement fund distribution.

## **CAPACITY**

A.B. Data offers unmatched resources and capacity and is capable of expertly administering any class action or mass tort settlement, regardless of its size or complexity. Indeed, A.B. Data has notified millions of class members in 109 countries and 60 languages. We have the in-house capacity to produce 1 million personalized letters a day, and our 170,000 square foot mail distribution center, with its own on-site USPS postal substation, has the capacity to mail 4 million pieces a day. Our production department operates three shifts around the clock, six days a week, employing over 130 specialists. A.B. Data's highly secure check distribution center is one of the nation's largest and most technologically advanced facilities and has been entrusted to MICR print and mail 70,000 checks each week, totaling a billion dollars annually.

## **CLASS ACTION SERVICES OVERVIEW**

Our reach is global, but our touch is personal. Through A.B. Data's unique combination of extraordinary human talent and innovative technology, we work in partnership with attorneys to administer their cases effectively, efficiently and affordably. A.B. Data provides realistic estimates of the cost of administration and timeframe for completion and delivers unrivaled expertise, resources and capacity to get the administration done on budget and on time, without compromising quality.

We are flexible, accurate, accountable and fast. Throughout the administration, attorneys are kept informed of the status of notification, claims processing and distribution. Work with A.B. Data once, and you will ask for our skills again and again.

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## NOTICE

### DIRECT NOTICE

Many classes can be reached most effectively through direct notice. With over two decades of experience in designing, printing, and targeting effective direct mail, A.B. Data has the experience to connect with class members.

As a leading expert in producing large volumes of legal and notice documents that require accuracy and speedy production, A.B. Data works diligently with attorneys to design and implement notice programs that meet their needs. A.B. Data has extensive experience in creating effective, user-friendly notices and claim forms that increase readability and maximize the efficacy of direct notice programs by making it easy for claimants to complete and return their claims.

A.B. Data prints and mails Notice packages in the most cost-efficient manner possible by: estimating the quantity necessary for fulfillment requests and printing them at the same time to reduce printing costs; trucking mail directly to sectional centers; sorting mail down to the mail-carrier's walk list; or co-mingling mail in such a way as to maximize discounts when only a handful of pieces go to a particular zip code. These procedures save classes considerable printing and postage expenses.

A.B. Data improves upon the list of potential class members by using the following methods:

- Address Identification
- Address Correction and Standardization
  - CASS-certified address standardization
  - FASTforward<sup>®</sup> and NCOALink (move updating)
  - Zip+4 bar-coding
  - Delivery Point Validation (DPV)
  - Maximized postal discounting mail stream
- List Compilation
- Data Entry & Deduplication
- Data Enhancement
- Location of Class Members

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**A.B. DATA, LTD.**

CLASS ACTION ADMINISTRATION

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### **Fulfillment**

A.B. Data owns and maintains a comprehensive list of approximately 2,500 of the largest brokerage firms, banks, institutions and other nominees. To increase the efficacy of the Notice program, A.B. Data mails a Notice package to each of these institutions with a cover letter highlighting the class definition and providing invoicing instructions and our Fulfillment Department's toll free number. We follow up the mailing by directly contacting the largest nominees to make certain they are aware of the settlement.

We respond to nominee fulfillment inquiries within two hours of receipt. All fulfillment requests are databased and processed within 24 hours. Reports on each type of fulfillment are produced upon request and included in A.B. Data's Affidavit of Mailing.

All invoices from nominees are verified against the Fulfillment Department database and logged within 24 hours. Invoices are then approved and submitted to A.B. Data's Accounting Department for bi-weekly reimbursement to nominees.

### **Shareholder Inquiries**

A.B. Data treats claimants with respect and dignity, giving them personalized service and answering their questions professionally and courteously. We believe that patient, knowledgeable claims administrators are absolutely critical to successful claims administration. To that end, we train our claims administrators to find ways to knock down barriers rather than strengthen road blocks. We do everything in our power to ensure that class members submit accurate claims, without making the process so bureaucratic or unwieldy that claimants give up or become objectors. This process reduces claim deficiencies and saves valuable time and expense in claims processing.

### **Requests for Exclusion or Inclusion**

All requests for exclusion or inclusion are bar-coded, scanned and databased within 24 hours. They are also included in A.B. Data's Affidavit of Mailing.

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### **PAID MEDIA NOTICE**

A.B. Data targets paid media notice to reach prospective class members in the most cost-efficient manner possible. Our promise is to deliver the most practicable advertising while making certain the program completes within budget. A.B. Data evaluates the precise needs of each case to determine whether paid media is required, and if so, makes recommendations concerning the types of paid media most suitable to increase the program's reach, including newspapers, magazines, television, radio and the Internet. If print media is required, our experienced staff advises our clients as to the size, layout and placement of advertisements to ensure notices will be seen. Affidavits of Publication are included in A.B. Data's Affidavit of Mailing.

### **EARNED MEDIA NOTICE**

We produce well-designed earned media programs that amplify paid advertising. That means we don't simply broadcast press releases, but also carefully contact key reporters, arrange interviews, place feature stories, and collect every tear sheet for presentation to the court.

### **Press Releases**

We are experts at writing press releases and developing headlines. Our key contact list of media outlets and reporters who regularly cover class actions allows us to target press releases and ensures that case-appropriate coverage is received.

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## **ADDITIONAL NOTICE SERVICES**

### **Telephony**

A.B. Data uses its own experienced team of inbound and outbound operators and is equipped with state-of-the-art, cutting edge technology. We work with attorneys to develop a case-specific telephony program that may include:

- Inbound and outbound case-specific toll free lines
- Experienced call center management
- Voice, web, and e-mail response systems that enable potential class members to receive the case's web address and request class notice, claim forms, and other documentation without agent intervention
- Call scripts, developed jointly with counsel
- Live operators during business hours; voicemails returned the next day
- Multilingual CSR (Customer Service Representatives)
- Digital voice recording (inbound and outbound)
- Multi-channel customer data entry: phone, fax, mail, and e-mail
- Detailed reporting

### **Website Services**

A.B. Data can design, implement, support and host a case-specific notification website that is easy to navigate, with features such as:

- Downloadable notice material and claim forms
- Online claim completion and opt in/out registration
- Ability to submit written questions
- Links to important case information
- Site promotion through registration with search engines and banner advertisements
- 24-hour monitoring and support and detailed traffic reporting

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## **CLAIMS ADMINISTRATION**

A.B. Data's Claims Processing Department is accurate, accountable and fast. Every process is transparent, and every piece of paper and name is handled as if it were the only one. We conduct extensive audits to detect duplicate or fraudulent claims and regularly test the disbursement calculation methodology.

### **Verification of Claim Substantiations**

Our Claims Administrators are well-trained and familiar with the various types of documentation that are required to validate claims. Each claim is thoroughly evaluated before a determination as to its validity is made.

### **Claims-Related Correspondence**

- Acknowledgment letters
- Requests for additional information
- Address changes
- Claim status notification
- Deficiencies
- Rejections

### **Electronic Claims**

In response to growing concerns about fraudulent claims and, in particular, duplicate claims being filed by third party claim-filing services, A.B. Data has implemented strict procedures to ensure that duplicate claims are detected.

### **Document Imaging**

We use optical character recognition (OCR) technology to convert handwritten claims and other documents into electronically searchable databases.

### **Affidavits**

A.B. Data's Affidavits are drafted or reviewed by our in-house, experienced class action attorneys, allowing our clients to focus their valuable time on the substantive aspects of their cases, rather than settlement administration.

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## **FUND DISTRIBUTION**

A.B. Data's Fund Administration program is tailored to the specific needs of each case, but usually includes:

- Provision of a secure environment during check printing
- Escrow services, including tax reporting on escrow accounts
- Establishment of a Trust Account from which distribution occurs
- Investment Strategies
- Check printing and distribution to authorized claimants, or payment to authorized claimants via Automated Clearing House
- Re-issuance of checks, if necessary
- Processing of all correspondence and reconciliation of checking account statements for 18 months following distribution
- Accountability and reportage
- Tax reporting services and preparation of 1099s

## **Check Processing**

A.B. Data offers a comprehensive single source for MICR (Magnetic Ink Character Recognition) check printing, data manipulation and coupon mailing. We customize our standard operating procedures on a case-by-case basis to ensure that each and every financial mailing goes out on time and is accurate.

Our MICR checks are printed in a completely secure environment. Each distribution program is fully reconciled. There are never: duplicate checks issued, two checks accidentally placed in one envelope, or checks lost. We guarantee that your checks will always be acceptable to the bank.

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**A.B. DATA, LTD.**

CLASS ACTION ADMINISTRATION

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### **Check Security Features**

A.B. Data's checks offer the following security features:

- Warning Bands that alert the document handler of security features
- Colored Pattern Pantograph helps protect against document alteration
- Microprinting in borders that can't be seen with the naked eye: print breaks up when photocopied
- Artificial Watermark indicates document originality: can't be photocopied
- Ultraviolet Light-Sensitive Fibers fluoresce under UV light and serve as an authentication tool
- Chemical Reactive Paper: checks discolor when chemically washed
- Copy Void Pantograph that is a dot pattern designed into the background of the check. If the check is copied or scanned, the word 'VOID' appears and invalidates the copy

### **Secure Environment**

- Lock down mode when checks are printed
- Limited physical access to production facilities
- Video monitoring 24 hours a day
- Thorough employee background checks, including FBI, Credit Bureau, Department of Motor Vehicles, educational credentials and past employment verification
- Data security and secure Socket Layer Server
- Disaster Recovery Plan

### **Automated Clearing House**

As a more cost-effective and efficient alternative to old-fashioned check printing and distribution, A.B. Data now offers this new service that speeds up fund distribution and reduces postage and printing costs to the class.

Instead of printing and mailing paper checks, A.B. Data can now transfer funds electronically into authorized claimants' bank accounts using the Federal Reserve Banking System. To accomplish this, a field is added to the claim form giving claimants this payment option and asking for their Bank, Routing Number, Account Number and Account Name. The cost of this service is substantially less than printing and mailing checks, and it is also much faster.

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### **Investment Strategy**

We recommend settlement fund investment strategies that ensure the class receives the highest interest rate available. Our careful handling of the investment strategies can add valuable basis points to the settlement fund that may ultimately pay for the costs of notice. A.B. Data's Co-Managing Director, who has more than 15 years' experience serving on the board of a large regional bank, will use his knowledge and banking connections and recommend a sound investment strategy that is precisely targeted to your needs.

### **Escrow Services and Disbursement Accounts**

Upon request, A.B. Data provides escrow or tax reporting services in connection with the Settlement Fund Trust Account until distribution. At distribution, funds are transferred from the escrow account to a disbursement account created and maintained by A.B. Data and, upon approval of A.B. Data's recommendations for distribution, funds are delivered to authorized claimants via check or electronically via Automated Clearing House.

### **Additional Tax Services**

#### **Class Members' Tax Forms**

- W9
- 1099

#### **Accountability & Reporting**

- Financial statements
- Audit trail reporting
- Account reconciliation

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#### **A.B. DATA, LTD.**

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# Exhibit B

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Anya Verkhovskaya is the Senior Vice President of the Class Action Administration Division of A.B. Data, Ltd. In Milwaukee, WI. The A.B. Data Group, founded in 1980, is an international firm that offers a full range of class action and complex litigation support services, with offices in Milwaukee, Wisconsin, New York, New York, Washington D.C., and Tel Aviv. A.B. Data is the fastest growing company in this sector with more than \$2,500,000,000 of settlements currently in various stages of management.

Anya Verkhovskaya has extensive experience in administering class action and settlement administration notice to various groups in the United States and abroad.

Currently, Ms. Verkhovskaya is providing notice and/or settlement administration or pre-settlement services in numerous consumer and securities class actions:

- *WILLIAM R. MARTIN, et al. v. AAIPHARMA, INC., et al.*, Case No. 7:04-CV-27-D, United States District, Eastern District of North Carolina
- *LOUIE ALAKAYAK, et al., v. ALL ALASKAN SEAFOODS, INC., et al.* Case No. 3AN-95-4676 CIV, In the Superior Court of the State of Alaska, Third Judicial District at Anchorage.
- *IN RE ANDRX CORPORATION, INC., TAZTIA XT SECURITIES LITIGATION*. Case No. 02-60410-CIV-UNGARO-BENAGES, United States District Court Southern District of Florida.
- *JOSE TORRES V. ASSOCIATES FIRST CAPITAL CORPORATION*, Civil Action No. M-03-146, United States District Court, Southern District of Texas, McAllen Division
- *MISTY ARIAS AND LUIS ARIAS, ET AL. v. AWARD HOMES, INC.*, Case No. M54183, Superior Court of California, County of Monterey
- *ESTATE OF MITCHELL HAMPTON, et al. v. BEVERLY ENTERPRISES-ARKANSAS, INC.*, No. CV 2004-95-3, Circuit Court of Bradley County, Arkansas
- *RANDAL S. BRAGG, et al. v. BILL HEARD CHEVROLET, INC. – PLANT CITY*, Case No. 8:02-cv-609-T-30EAJ, In the United States District Court, Middle District of Florida, Tampa Division

- *WENGER v. BRUNSWICK BUICK PONTIAC GMC, INC., et al. and SODEN v. BRUNSWICK BUICK PONTIAC GMC, INC., et al.*, Docket Nos. L-2510-03 and L05617-03, Superior Court of New Jersey, Middlesex County
- *ZELNIK, et al. v. CITATION HOMES, INC., et al.*, Case No. 413861, Superior Court of California, County of San Mateo
- *NANCY CANNING AND DANIELLE THOMAS, et al. v. CONCORD EFS, INC.*, Docket No. L-6609-02, Superior Court of New Jersey, Law Division: Camden County
- *PATRICIA CROXALL et al. v. COURTESY GROUP*, Case No. 03-6201, The Circuit Court for the Thirteenth Judicial Circuit In and For Hillsborough County, Florida Civil Action.
- *ROY VEAL, et al v. CROWN AUTO DEALERSHIPS, INC.*, Case No. 8:04-CV-0323-T-27 MSS, United States District Court Middle District of Florida Tampa Division.
- *THE LOUISIANA MUNICIPAL POLICE EMPLOYEES' RETIREMENT SYSTEM, et al. v. DELOITTE & TOUCHE LLP*, Civil Action No. 04-621 (LDW), United States District Court, Eastern District of New York
- *FAMILY OPEN MRI, INCORPORATED, as assignee of MARTHA PULIDO, individually, and on behalf of all those similarly situated v. DIRECT GENERAL INSURANCE COMPANY*, Civ. Action No. 03-4175, Div. G, Tampa, Hillsborough County, Florida.
- *OSBORN, et al. v. EMC CORPORATION, et al.*, Case No. C 04-00336 JSW, U.S. District Court, Northern District of California, San Francisco Division
- *CHARLES B. COTTEN, JR. and DEBORAH E. COTTEN, and NARSULLAH A. FAROOQUI, and ZAHRA F. FAROOQUI, individually, and on behalf of all those similarly situated, vs. FERMAN MANAGEMENT SERVICES CORPORATION, FERMAN MOTOR CAR COMPANY, INC. FERMAN CHRYSLER-DODGE-JEEP OF WAUCHULA, INC. d/b/a FERMAN OF WAUCHULA, FERMAN JEEP, INC., FERMAN FORD, INC., and SUNSHINE CHEVROLET-OLDSMOBILE OF TARPON SPRINGS, INC.* Case No.: 02-08115, Circuit Court for the Thirteenth Judicial Circuit, Hillsborough County, Florida Civil Division.
- *THOMAS BURNS AND MARK LARSEN, ET AL. V. FIRST AMERICAN BANK*, United States District Court, Northern District of Illinois, Eastern Division
- *FW TRANSPORTATION, INC. VS. ASSOCIATES COMMERCIAL CORPORATION*, Case No.C200000084, District Court of Johnson County, Texas, 18th Judicial District.
- *GERMAN FORCED LABOR COMPENSATION PROGRAM (GFLCP)*

As designated by IOM, A.B. Data located more than 43,000 Romani survivors in 17 countries of Central and Eastern Europe who were potentially eligible for humanitarian aid. A.B. Data created a comprehensive database for GFLCP/HVAP, and directly assisted more than 11,000 Romanies in eight Central and Eastern European countries with claim completion.

- *SHARON PETTWAY and MARSHA HUBBARD, et al. v. HARMON LAW OFFICES, P.C.*, Case No. 03-10932-RGS, United States District Court, District of Massachusetts
- *HOLOCAUST VICTIM ASSETS LITIGATION (SWISS BANKS) (HVAP)*

As a court appointed notice administrator, A.B. Data played a key role in a worldwide Phase I Notice that resulted in more than 500,000 initial questionnaires. In Phase III, A.B. Data delivered notice to over 10,000 Jewish Communities in 109 countries, and administered international Help and Call Centers in Phase I and Phase III that personally assisted more than 100,000 potential claimants.

A.B. Data created a class-appropriate notice targeting Romanies (Gypsies) in 48 countries, and directed hundreds of staff to communicate orally and directly with Romani communities and individuals. A.B. Data notified more than two million people, and as designated by the International Organization for Migration (IOM), directly assisted more than 22,000 Romanies in 17 countries of Central and Eastern Europe with claim completion.

- *VALUEPOINT PARTNERS, INC., on behalf of itself and all others similarly situated v. ICN PHARMACEUTICALS, INC. et al.* United States District Court Central District of California
- *In re ICG COMMUNICATIONS, INC. SECURITIES LITIGATION*, United States District Court, District of Colorado
- *THE INTERNATIONAL COMMISSION ON HOLOCAUST ERA INSURANCE CLAIMS (ICHEIC)*

ICHEIC assigned A.B. Data to conduct a domestic (US) and worldwide outreach program resulting in over 72,000 claims. A.B. Data launched and coordinated international Help, Call, and Mail Distribution Centers, provided direct assistance with claim completion, and consulted to ICHEIC in various areas including: multi-lingual data and database management, postal issues, and historical and geographical matters that directly influenced the eligibility criteria.

- *TERRY P. SILKE, et al. v. IRWIN MORTGAGE CORPORATION*, Cause No. 49D03-0304-PL-000697, Marion Superior Court, Civil Division
- *TODD HOLLEY, individually and on behalf of all those similarly situated v. KITTY HAWK, INC, M. TOM CHRISTOPHER, RICHARD WADSWORTH AND CONRAD KALITTA*, Case No. 3-00 CV 0820-P, United States District Court for the Northern District of Texas, Dallas Division
- *DeCARIO et al. v. LERNER NEW YORK, INC.*, Case no. BC 317954, Los Angeles County Superior Court of the State of California.
- *IN RE LERNOUT & HAUSPIE PRODUCTS, N.V., SECURITIES LITIGATION*, Case No. 1:00cv11589, United States District Court for the District of Massachusetts.

- *IN RE LERNOUT & HAUSPIE PRODUCTS, N.V., SECURITIES LITIGATION (KPMG)*, Case No. 04-CV-1738, United States District Court for the District of Massachusetts.
- *LOUIS COLEMAN, JR, and wife PRISCILLA COLEMAN; SPRUILL THOMPSON, and wife KAREN THOMPSON; JEFFREY COLEMAN and wife MICHELLE COLEMAN vs. LINCOLN WOOD PRODUCTS, INC.* Case No.: 99-CVS-1362, General Court of Justice, New Hanover County, North Carolina, Superior Court Division.
- *CLEARVIEW IMAGING, L.L.C. d/b/a CLEARVIEW OPEN MRI, et al. v. MERCURY INSURANCE COMPANY OF FLORIDA*, Case No. 03-5170, Circuit Court of the Thirteenth Judicial Circuit in and for Hillsborough County, Florida Civil Division
- *GREG SUTTERFIELD, derivatively and on behalf OF MICROMUSE, INC. v. LLOYD CARNEY, et al.*, Defendants and MICROMUSE, INC., Nominal Defendant, Case No. C-04-0136BZ, United States District Court, Northern District of California
- *MN CORN PROCESSORS CLASS ACTION: STEVEN RUPP, DOUGLAS ALBIN, VINCENT BOT, JAMES LARSON AND MICHAEL ZINS, PLAINTIFFS V. L. DANIEL THOMPSON, MICHAEL MOTE, ROGER UNTIEDT, LARRY SCHIAVO, JOSEPH BENNETT, DANIEL STACKEN, STANLEY SITTON, ROGER EVERT, JERRY JACOBY AND JOHN AND MARY DOE, DEFENDANTS*, File No. C5-03-347, State of Minnesota District Court County of Lyon Fifth Judicial District.
- *GIL WISNIAK, on Behalf of Himself and All Others Similarly Situated v. MIRANT AMERICAS GENERATION, LLC, RICHARD J. PERSHING, J. WILLIAM HOLDEN, III, STEPHEN G. GILLIS, S. MARCE FULLER, AND RAYMOND D. HILL*, Civil Action No. 1:03-CV-2049-BBM, In the United States District Court for the Northern District of Georgia, Atlanta Division
- *ULTRA OPEN MRI CORPORATION, et al. v. NATIONWIDE ASSURANCE COMPANY, et al.*, Case No. 03-010725, Thirteenth Judicial Circuit Court in and for Hillsborough County, Florida, Division H
- *CLEARVIEW IMAGING LLC, et al. v. NATIONWIDE MUTUAL INSURANCE COMPANY, et al.*, Case No. 04-10396, Thirteenth Judicial Circuit in and for Hillsborough County, Florida, Division H
- *IN RE Nx NETWORKS SECURITIES LITIGATION, (REES PLAINTIFFS)*, Case No. 00-CV-11850 (JLT) United States District Court of Massachusetts.
- *OPEN MRI OF PINELLAS, INC., et al. v. ATLANTA CASUALTY INSURANCE COMPANY*, Case No. 03-7721, Circuit Court of the 13th Circuit, Broward County, Florida
- *EDWIN HESS vs. ORIOLE HOMES CORP., RICHARD D. LEVY, HARRY A. LEVY, MARK A. LEVY, GEORGE R. RICHARDS AND PAUL R. LEHRER*. Case No. CA 02-13794AA, Circuit Court of the 15th Judicial Circuit, Palm Beach County, Florida.
- *WARREN V. ROLLINS, INC. AND ORKIN EXTERMINATING COMPANY, INC.*

- *IN RE PACIFIC GATEWAY, INC., SECURITIES LITIGATION*, Master File No. C-00-1211-PH, United States District Court for the Northern District of California.
- *CLEARVIEW IMAGING, L.L.C. v. PROGRESSIVE CONSUMERS INSURANCE COMPANY*, No. 03-0174, Circuit Court of the 13<sup>th</sup> Judicial Circuit, Hillsborough County, Florida
- *ELI FRIEDMAN, Individually and on behalf of all Others Similarly Situated v. RAYOVAC CORPORATION*, Civil Action No. 02-CV-0308, United States District Court for the Western District of Wisconsin.
- *IN RE RELIANT SECURITIES LITIGATION*, Civil Action No. H-02-1810 (Consolidated), United States District Court, Southern District of Texas, Houston Division
- *GWEN CARLSON, et al. v. C.H. ROBINSON WORLDWIDE, INC.*, Civil Action No. CV 02-3780, United States District Court for the District of Minnesota
- *MANTZOURIS, et al. v. SCARRITT MOTOR GROUP, INC.*, Case No. 8:03-CV-00150T-30-MSS, U.S.D.C., Middle District of Florida, Tampa Division.
- *IN RE SEARS, ROEBUCK & COMPANY ERISA LITIGATION*, United States District Court, Northern District of Illinois
- *JASON AND SHARON EVANS, ET AL. V. STEWART TITLE GUARANTY COMPANY*, Circuit Court of the Seventeenth Judicial Circuit in and for Broward County, Florida, General Jurisdiction Division
- *TERESA BAUMAN v. SUPERIOR FINANCIAL CORP., C. STANLEY BAILEY, RICK D. GARDNER, C. MARVIN SCOTT, HOWARD B. McMAHON, JOHN M. STEIN, BEN F. SCROGGIN, BRIAN A. GAHR, JOHN E. STEURI, DAVID E. STUBBLEFIELD, ERNST & YOUNG, LLP, AND JOHNNY McCALEB*. Civ. Action No. 4-01-CV-00756 GH, United States District Court Eastern District of Arkansas Western Division.
- *WILLIAM B. COTTRELL v. RICK D. GARDNER, et al.*, Civ. Action No. CV-2002-121(I) Superior Financial Corp. Derivative Action
- *IN RE SUPERVALU, INC. SECURITIES LITIGATION*, Civil Action No. 02-CV-1738 (JEL/JGL), United States District Court for the District of Minnesota.
- *IN RE SYMBOL TECHNOLOGIES, INC., SECURITIES LITIGATION*, Case No. 02-CV-1383 (LDW), United States District Court Eastern District of New York.
- *DAVID MONTALVO, et al. v. TRIPOS, INC., et al.*, Case No. 4:03CV995SNL, United States District Court, Eastern District of Missouri

- *TYSON FOODS, INC. SECURITIES LITIGATION*, Civil Action No. 01-425-SLR, United States District Court for the District of Delaware.
- *VALLEY NATIONAL BANK v. CAHN*, Superior Court of New Jersey, Law Division of Mercer County
- *IN RE VASO ACTIVE PHARMACEUTICALS SECURITIES LITIGATION*, Master Docket No. 04-10708 (RCL), United States District Court, District of Massachusetts.
- *IN RE VASO ACTIVE PHARMACEUTICALS DERIVATIVE LITIGATION*, Master Docket No. 04-10792 (RCL) (Consolidated Derivative Action)
- *SOUTHEAST TEXAS MEDICAL ASSOCIATES, LLP V. VERISIGN, INC.*, Case No. 1-05-CV-035550, Superior Court of the State of California, County of Santa Clara
- *IN RE VISIONAMERICA, INC. SECURITIES LITIGATION*. Master File No. 3-00-0279, United States District Court Middle District of Tennessee Nashville Division.
- *IN RE ZOMAX*, Civil Action No. 04-1155 (DWF/SRN), United States District Court, District of Minnesota

Ms. Verkhovskaya's diverse background and skills bring strength to any project.

- Worked for many years with Steven Spielberg as an expert on community outreach in Europe and the countries of the former Soviet Union.
  - Created an outreach community network in more than 20 Eastern European and former Soviet Union countries, which resulted in videotaping of more than 9,000 interviews with Jewish, Romani and other Holocaust survivors and witnesses. Oversaw a multimillion-dollar budget, 14 field offices and 1,200 staff members. Devised and implemented production, research, community outreach/relations, publicity, legal, translation, shipping, accounting, fundraising, data entry, database management, and quality control.
- Produced several documentary films, winning numerous awards.
- Worked as a pediatric registered nurse at the New York University Medical Center in New York City.
- Served on Advisory Committee for New Émigrés in New York City.
- Founder and Member of the Board of Director of the Archive: Institute of Russian Jewish American Diaspora, New York City. Sir Martin Gilbert, Honorary Chair. A non-profit organization founded to preserve the history and collective memory of the Jewish immigrant community from the former Soviet Union.